

Message Text

SECRET

PAGE 01 DAKAR 00019 031231Z

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ACTION AF-04

INFO OCT-01 SS-14 ISO-00 NSC-05 NSCE-00 SSO-00 L-01 SP-02

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O 031148Z JAN 76 ZFF6

FM AMEMBASSY DAKAR

TO SECSTATE WASHDC NIACT IMMEDIATE 3351

INFO AMEMBASSY KINSHASA NIACT IMMEDIATE

AMEMBASSY LUSAKA NIACT IMMEDIATE

S E C R E T DAKAR 0019

LIMDIS

FROM ASST SECRETARY SCHAUFEELE

E.O. 11652: GDS

TAGS: PFOR, AO, ZA

SUBJECT: ZAMBIAN DRAFT STATEMENT

REF: LUSAKA 2552

1. IN ADDITION TO VAGUENESS--WHICH IS SOMETIMES A VIRTUE--
POINTED OUT BY AMB. WILKOWSKI (PARA 2 REFTTEL) I AM STRUCK
BY PECULIAR REASONING IN PARA 4 OF DRAFT ZAMBIAN STATEMENT.
I REALIZE THAT AFRICANS HAVE DE FACTO ADOPTED MODIFIED
VERSION OF INTERNATIONAL LAW AS IT APPLIES TO AFRICA. BUT
IT SEEMS TO ARGUE THAT HAD OAU WITHDRAWN RECOGNITION OF ALL
THREE GROUPS BEFORE INDEPENDENCE IT COULD THEN HAVE RE-
RECOGNIZED ONE OR MORE WHICH WOULD THEN HAVE LEGAL STANDING
AS THE GOVERNMENT OF ANGOLA. ONE CAN ARGUE EQUALLY CONCLU-
SIVELY THAT CONTINUED RECOGNITION OF ALL THREE IMPOSES ON OAU
THE OBLIGATION TO ACCEPT THE FACT THAT ONLY A GOVERNMENT
COMPOSED OF ALL THREE CAN BE RECOGNIZED, ESPECIALLY
SINCE ALL THREE SIGNED AN AGREEMENT TO THAT EFFECT. IN ANY
CASE I AM NOT CONVINCED THAT THIS LEGALISM, RIGHT OR WRONG

SECRET

SECRET

PAGE 02 DAKAR 00019 031231Z

OR AS ENTRANCING AS IT SEEMS TO CHINA, IS GOING TO HAVE THE

SLIGHTEST EFFECT ON THE OAU PROCEEDINGS. I DO, HOWEVER, AGREE WITH THE LAST TWO SENTENCES IN THAT PARAGRAPH.

2. PARA (6)(D) OF THE STATEMENT CALLS FOR THE THREE PARTIES TO AGREE TO THE FORMATION OF A GOVERNMENT OF NATIONAL UNITY WITHOUT PROVIDING ANY FRAMEWORK FOR CONDUCTING NEGOTIATIONS. UNLESS THE SITUATION ON THE GROUND SO DICTATES AND ALL THREE ARE PERSUADED THAT NEGOTIATIONS SERVE THEIR BEST INTERESTS-- WHICH IS UNLIKELY AT THIS POINT-- ANY ONE OF THEM CAN FIND AN EXCUSE TO AVOID A CONSTRUCTIVE RESPONSE TO THIS CALL. ON THE OTHER HAND AN OAU MECHANISM APPROPRIATELY CONSTITUTED, EVEN IF IT WERE TO FAIL, CAN HELP TO FORCE THE ISSUE AND TO DEMONSTRATE WHO THE TRUE RELUCTANT DRAGON IS.

3. BUT THIS WEAK PARAGRAPH IS THEN FOLLOWED BY PARA (6)(E) TO WHICH AMB. WILKOWSKI HAS REFERRED. IT SEEMS TO CHARGE THE SUMMIT OR THE INTERNATIONAL SUPERVISORY BODY WITH THE TASK OF SORTING "OUT THE FORM WHICH THE GOVERNMENT OF NATIONAL UNITY SHOULD TAKE." IT WOULD SEEM TO ME MUCH MORE SENSIBLE IF THE PREVIOUS PARAGRAPH CALLED FOR THE ESTABLISHMENT OF THAT INTERNATIONAL BODY WHICH COULD BE CHARGED WITH BOTH THE SUPERVISION OF THE CEASEFIRE AND THE CONDUCT OF NEGOTIATIONS AMONG THE THREE.

4. REGARDING A SUPERVISORY BODY FOR THE CEASEFIRE, THE EXAMPLES WHICH IMMEDIATELY COME TO MY MIND ARE THE UN OPERATIONS IN THE MIDDLE EAST (UNTSO, NOT UNEF), CYPRUS AND KASHMIRE. THERE ARE UNDOUBTEDLY OTHER POSSIBILITIES. HOWEVER, I FAIL TO SEE HOW THE OAU COULD SIMPLY "CALL FOR INTERNATIONAL SUPERVISION" AND THEN SIMPLY EXPECT SOME UNNAMED ORGANIZATION TO HEED THE CALL. IT SEEMS TO ME THAT IF THE OAU WERE TO FOLLOW THIS LINE IT WOULD HAVE EITHER TO ESTABLISH SUCH A BODY ITSELF OR TO CALL UPON THE UN TO DO SO.

5. THESE ARE MY IMMEDIATE INITIAL REACTIONS AND I HOPE DEPT CAN COME UP WITH MORE SYSTEMATIC ANALYSIS.
AGGREY

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NNN

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